

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

**In the Matter of the Accusation  
Against:**

**MATTHEW SETH GORDON, M.D.**

**Case No. 8002017029745**

**Physician's and Surgeon's  
Certificate No. G64420**

**Respondent**

**DECISION**

**The attached Stipulated Surrender of License and Order is hereby  
adopted as the Decision and Order of the Medical Board of California,  
Department of Consumer Affairs, State of California.**

**This Decision shall become effective at 5:00 p.m. on AUGUST 22, 2017**

**IT IS SO ORDERED AUGUST 15, 2017.**

**MEDICAL BOARD OF CALIFORNIA**

**By:**

  
**Kimberly Kirchmeyer  
Executive Director**

1 XAVIER BECERRA  
Attorney General of California  
2 JANE ZACK SIMON  
Supervising Deputy Attorney General  
3 KEITH C. SHAW  
Deputy Attorney General  
4 State Bar No. 227029  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5385  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*  
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8 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 800-2017-029745

11 **MATTHEW SETH GORDON, M.D.**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

12 1642 Webster Drive, SE  
13 Salem, OR 97302

14 **Physician's and Surgeon's Certificate No. G  
64420**

15  
16 Respondent.

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board  
21 of California (Board). She brought this action solely in her official capacity and is represented in  
22 this matter by Xavier Becerra, Attorney General of the State of California, by Keith C. Shaw,  
23 Deputy Attorney General.

24 2. Respondent Matthew Seth Gordon, M.D. (Respondent) is represented in this  
25 proceeding by attorney Michael Gallert, Esq., whose address is 1600 Humboldt Road, Suite 1,  
26 Chico, CA 95928.  
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3. On or about October 24, 1988, the Board issued Physician's and Surgeon's Certificate No. G 64420 to Matthew Seth Gordon, M.D. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2017-029745, and will expire on March 31, 2018, unless renewed.

## JURISDICTION

4. Accusation No. 800-2017-029745 was filed before the Medical Board of California (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 14, 2017. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2017-029745 is attached as Exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2017-029745. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

8. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2017-029745, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest those charges.

10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

## CONTINGENCY

11. This stipulation shall be subject to approval by the Medical Board of California. Respondent, acting through his attorney, understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or his attorney. By signing the stipulation, Respondent, acting through his attorney, understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

**ORDER**

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 64420, issued to Respondent Matthew Seth Gordon, M.D. is surrendered and accepted by the Medical Board of California.

1. Respondent shall lose all rights and privileges as a physician and surgeon in California as of the effective date of the Board's Decision and Order.

2. On or before the effective date of the Decision and Order, Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate.

3. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2017-029745 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

4. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 800-2017-029745 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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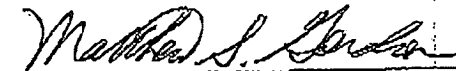
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I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Michael Gallert, Esq. I enter into it freely and voluntarily and with full knowledge of its force and effect do hereby surrender the Physician's and Surgeon's Certificate No. G 64420 for Matthew Seth Gordon, M.D., to the Medical Board of California for its formal acceptance. By signing this stipulation to surrender Respondent's license I recognize that upon its formal acceptance by the Board, Respondent will lose all rights and privileges to practice as a physician and surgeon in the State of California and I also will cause to be delivered to the Board any license and wallet certificate in my possession before the effective date of the decision.

DATED:

07/13/2017MATTHEW SETH GORDON, M.D.  
Respondent

I have read and fully discussed with Respondent Matthew Seth Gordon, M.D. the terms and conditions and other matters contained in the above Stipulated Surrender of License and Order. I approve its form and content.

DATED:

7/14/17MICHAEL GALLERT, ESQ.  
Attorney for Respondent


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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: July 14, 2017

Respectfully submitted,  
  
XAVIER BECERRA  
Attorney General of California  
JANE ZACK SIMON  
Supervising Deputy Attorney General

  
KEITH C. SHAW  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 800-2017-029745**

1 XAVIER BECERRA  
Attorney General of California  
2 JANE ZACK SIMON  
Supervising Deputy Attorney General  
3 KEITH C. SHAW  
Deputy Attorney General  
4 State Bar No. 227029  
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Telephone: (415) 703-5385  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO June 14 20 17  
BY [Signature] ANALYST

7  
8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:  
13 **MATTHEW SETH GORDON, M.D.**

Case No. 800-2017-029745

**A C C U S A T I O N**

14 1642 Webster Drive, SE  
15 Salem, OR 97302

16 Physician's and Surgeon's Certificate No.  
G64420

Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
22 Affairs (Board).

23 2. On or about October 24, 1988, the Medical Board issued Physician's and Surgeon's  
24 Certificate Number G64420 to Matthew Seth Gordon, M.D. (Respondent). Said certificate will  
25 expire on March 31, 2018, unless renewed.

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1 unprofessional conduct. As a result of the investigation, the Oregon Medical Board found that  
2 Respondent engaged in conduct that violated the Medical Practice Act by committing  
3 unprofessional or dishonorable conduct. Respondent agreed to the terms contained in the  
4 Stipulated Order and he understood that the Stipulated Order is a disciplinary action. A true and  
5 correct copy of the Interim Stipulated Order issued by the Oregon Medical Board is attached as  
6 Exhibit A.

7 5. Respondent's license to practice medicine in the State of Oregon is subject to the  
8 following terms:

- 9 a. Respondent retires his Oregon medical license while under investigation;  
10 b. Respondent must obey all federal and Oregon state laws and regulations pertaining  
11 to the practice of medicine; and  
12 c. Respondent stipulates and agrees that any violation of the terms of the Stipulated  
13 Order shall be grounds for further disciplinary action.

14 6. Respondent's conduct and the action of the Oregon Medical Board, as set forth in  
15 paragraphs 4 and 5 above, constitute cause for discipline pursuant to sections 2305 and/or 141 of  
16 the Code.

17 **PRAYER**

18 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
19 and that following the hearing, the Board issue a decision:

20 1. Revoking or suspending Physician's and Surgeon's Certificate Number G64420,  
21 issued to Matthew Seth Gordon, M.D.;

22 2. Revoking, suspending or denying approval of Matthew Seth Gordon, M.D.'s  
23 authority to supervise physician assistants and advanced practice nurses.

24 3. Ordering Matthew Seth Gordon, M.D., if placed on probation, to pay the Board the  
25 costs of probation monitoring; and

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4. Taking such other and further action as deemed necessary and proper.

DATED: June 14, 2017

  
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
State of California  
*Complainant*

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41754375

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# **EXHIBIT A**

1                                   BEFORE THE  
2                                   OREGON MEDICAL BOARD  
3                                   STATE OF OREGON

4           In the Matter of

5           MATTHEW SETH GORDON, MD  
6           LICENSE NO: MD21157

                                  } STIPULATED ORDER  
                                  }

7  
8                                   1.

9           The Oregon Medical Board (Board) is the state agency responsible for licensing,  
10   regulating and disciplining certain health care providers, including physicians, in the state of  
11   Oregon. Matthew Seth Gordon, MD (Licensee) is a licensed physician in the State of Oregon.

12                                  2.

13           On April 1, 2016, the Board opened an investigation after receiving credible information  
14   regarding Licensee's misuse of computer equipment and allegations of possible unprofessional  
15   conduct.

16                                  3.

17           Licensee and the Board desire to settle this matter by the entry of this Stipulated Order.  
18   Licensee understands that he has the right to a contested case hearing under the Administrative  
19   Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a  
20   contested case hearing and any appeal therefrom by the signing of this Order in the Board's  
21   records. Licensee neither admits nor denies, but the Board finds that Licensee engaged in  
22   conduct that violated the Medical Practice Act, to wit: ORS 677.190(1)(a), unprofessional or  
23   dishonorable conduct, as defined in ORS 677.188(4)(a). Licensee understands that this Order is  
24   a public record and is a disciplinary action that is reportable to the DataBank and the Federation  
25   of State Medical Boards.

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Licensee and the Board agree that the Board will close this investigation and resolve this matter by entry of this Stipulated Order, subject to the following conditions:

4.1 Licensee retires his Oregon medical license while under investigation.

4.2 Licensee must obey all federal and Oregon State laws and regulations pertaining to the practice of medicine.

4.3 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

5.

This Order becomes effective the date it is signed by the Board Chair.

IT IS SO STIPULATED this 19 day of October 2016.

  
MATTHEW SETH GORDON, MD

IT IS SO ORDERED this 5<sup>th</sup> day of January 2017.

OREGON MEDICAL BOARD

  
SHRIN SUKUMAR, MD  
Board Chair